

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO

RICHARD SALVATORE ESPOSITO,

Plaintiff

v.

MTEL PUERTO RICO, INC.,

Defendant

CIVIL NO. 98-1599

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ORDER

Having considered plaintiff's motion for sanctions of January 10, 1999 (D.E. #14), defendant's opposition of July 8, 1999 (D.E. #16), the memoranda on file (D.E. #21), the oral arguments heard on September 8, 1999, as well as the post hearing memoranda filed (D.E. #26, #27), plaintiff's motion is DENIED. The objections raised by defendant are well taken. The issues raised by plaintiff are of credibility, as well as of a series of facts and events clearly in controversy that will require live testimony. They are more appropriate to be elucidated during trial. This magistrate is not convinced that this kind of controversy should be summarily disposed through a motion for sanctions.

IT IS SO ORDERED.

San Juan, Puerto Rico, September 28, 1999.


J. ANTONIO CASTELLANOS
UNITED STATES MAGISTRATE JUDGE